

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL OGLE,

Defendant.

NO. CR-03-212-RHW

**ORDER GRANTING THE
GOVERNMENT'S MOTION FOR
RECONSIDERATION**

Before the Court is the Government's Motion for Reconsideration Re Order Striking Briefing Schedule and Closing File and to Hold a Hearing in Order to Determine if the Defendant's Sentence Would Have Been Materially Different, and If Necessary, to Re-sentence the Defendant (Ct. Rec. 76).

On December 28, 2005, the Court entered an order striking the briefing schedule because Defendant had filed a statement indicating that he did not want to be re-sentenced. The Government asks the Court to allow the parties to address whether Defendant's sentence would have been materially different under the now advisory Guideline sentencing regime.

Accordingly, **IT IS HEREBY ORDERED:**

1. The Government's Motion for Reconsideration Re Order Striking Briefing Schedule and Closing File and to Hold a Hearing in Order to Determine if the Defendant's Sentence Would Have Been Materially Different, and If Necessary, to Resentence the Defendant (Ct. Rec. 76) is **GRANTED**.

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